

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
WINCHESTER DIVISION**

JAMES FARRAR, SR.,)	
THE ESTATE OF JOHN H. NORTON, III,)	No. _____
C. KELLY WILSON,)	Removed from the Chancery Court
)	of Bedford County, Tennessee
Plaintiffs,)	
)	
v.)	
)	
AUTO-OWNERS INSURANCE)	
COMPANY,)	
)	
Defendant.)	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1332 and 1441 Auto-Owners Insurance Company (hereafter "Auto-Owners") hereby provides notice of removal of this action from the Chancery Court for Bedford County, Tennessee. As grounds for removal, Auto-Owners states as follows:

1. This action was commenced on July 7th, 2017, in the Chancery Court for Bedford County, Tennessee styled James E. Farrar, Sr., The Estate of John H. Norton, III, and C. Kelly Wilson v. Auto-Owners Insurance Company, Case Number 31,724. A copy of all process, pleadings and discovery filed in the Chancery Court for Bedford County, Tennessee and served upon Auto-Owners is attached hereto as **Exhibit A**.

2. A copy of the Complaint was served on Auto-Owners on July 7th, 2017 through the Tennessee Commissioner of Insurance's office. Auto-Owners is filing this Notice of Removal within thirty (30) days after receiving copies of the Summons and Complaint. This Notice of Removal is timely filed under 28 U.S.C. § 1446(b).

3. This Court has diversity of citizenship jurisdiction pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441(b).

4. Plaintiff is a resident and citizen of Bedford County, Tennessee.

5. Auto-Owners is a Michigan company with its principal office located at 6101 Anacapi Boulevard, Lansing, Michigan.

6. The Complaint contemplates an amount in controversy in excess of \$75,000, exclusive of interest and costs, in that Plaintiff specifically seeks compensatory damages of \$250,000, plus a bad faith penalty award.

7. The United States District Court for the Eastern District of Tennessee, Winchester Division, is the district and division embracing Bedford County, Tennessee, the place where the state court action was pending. 28 U.S.C. § 1441(a).

8. Upon filing this Notice of Removal, Defendant is giving notice to Plaintiff and to the Chancery Court Clerk of the Chancery Court of Tennessee, Seventeenth Judicial District, Bedford County, Tennessee, as required by 28 U.S.C. § 1446(d). A copy of the Notice to be served on Plaintiffs and the Clerk of the Bedford County Chancery Court is attached hereto as **Exhibit B**.

9. By filing this Notice of Removal, Defendant does not waive any claims or defenses that may be available to it. E.g. Arizona v. Maypenny, 451 U.S. 232, 243 n.17 (1980). This includes any legal or equitable claims or defenses, counterclaims, and/or right to arbitration or other remedy or procedural mechanism.

10. A completed Civil Cover Sheet is attached hereto as **Exhibit C**.

WHEREFORE, take notice that the Defendant, by and through its counsel, removes the above-entitled action from the Chancery Court for Bedford County, Tennessee to the United States District Court for the Eastern District of Tennessee, Winchester Division.

Respectfully submitted,

/s/ Joshua G. Offutt

Joshua G. Offutt (TN BPR #022215)

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Attorney for Auto-Owners Insurance Company

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served via electronic mail and First Class Mail, postage prepaid, addressed to Gregory D. Judkins, P.O. Box 2235, Shelbyville, Tennessee 37162, on this 4th day of August, 2017.

/s/ Joshua G. Offutt

Joshua G. Offutt